

ATTACHMENT H

Page 1 of 2

French American
School of Silicon Valley

Ecole Franco-Américaine de la Silicon Valley
1522 Lewiston Dr., Sunnyvale, Ca. 94087
Phone (408) 746-0460 Fax: (408) 735-8619
www.fassv.org

November 16, 2004

To: City of Sunnyvale
Planning Commission

Ref.: Use Permit Application

Attached please find the application and associated fee for Appeal to the decision taken against Use Permit # 2004-0766 located at 1510 Lewiston Drive, during the November 8, 2004 City of Sunnyvale Planning Commission Public Hearing.

Enclosed, as well in this mailing, is the original document dated September 22, 2004, whereby the explanation and justification of the project is provided.

At the completion of the November 8, 2004 Public Hearing meeting, the Planning Commission approved the request for Use Permit with conditions, paraphrased: "Applicant is to provide a Master Parking and Circulation Management Plan with tenants' and neighbors' input...approved by Sunnyvale Traffic Division and Director of Community Development...upon approval, a three-month trial of the Plan...prior to occupancy of the project."

The French-American School of Silicon Valley (FASSV) community has no choice but to appeal the above-stated conditions due to the following:

- The Approval Condition of a parking study/implementation/review plan as stated is a separate, non-related issue to FASSV's request for a Use Permit.
- The Approval Condition as stated is not feasible from two points; cost and enforceability.

As officially confirmed by the City of Sunnyvale's Planning Commission Board during the November 8, 2004 Public Hearing, the traffic/parking situation at the Serra Elementary School site is not linked with FASSV's request for a Use Permit to add a 3-room modular building to house a library, computer lab and administrative offices. It was repeated throughout the meeting that since the project did not affect student enrollment or staffing, there would be zero impact to the current traffic, parking, or noise conditions at the campus. Hence the FASSV community does not understand how the Planning Commission could contradict its confirmation of "no impact" with a decision to make the Use Permit conditional on a situation they deem non-related.

FASSV explained that the capital to fund this project has been conservatively accumulated over the past ten years. Unfortunately, while genuinely trying to begin the Approval Condition phase, FASSV discovered that the costs involved with a Parking Study/Implementation Plan as the one proposed by the City of Sunnyvale, were prohibitive to a non-profit educational establishment like us. Furthermore, as also stated during the Public Hearing meeting, FASSV is only one of four tenants on the Serra site. As a private, non-profit school, we do not possess the authority to impose either cost sharing or enforceability of any circulation/parking modifications onto the other privately-owned independent businesses sharing the Serra school site with us.

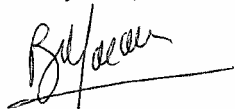
At the end of the Public Hearing, the Planning Commission stated that the decision taken against FASSV's Use Permit was a "win-win" for both our school and the community. Sadly, we perceive the decision taken as a "lose-lose." Since FASSV cannot by itself absorb the costs associated with and/or enforce a modification to the current circulation and parking situation within the vicinity of the Serra School site, it would become virtually impossible for us to continue on with the project. In the end, our students lose as they cannot benefit from the significant resources that would otherwise be available to them with the proper space. And the community loses as well, in several ways. Almost half of our students continue on in public schools within Sunnyvale's city limits. And the neighbors' legitimate concerns over the current circulation/parking condition will remain unchanged.

As we stated clearly in the Public Hearing meeting, FASSV sincerely wishes to improve the current circulation/parking situation. In fact, we are the only one of the four tenants of the property who has already taken measures to do so. As we stated in the meeting, we have changed our school entry/exit to force our parent "traffic" away from the location right in front of the school into the back parking lot. This has alleviated congestion on the corner of Nisqually and Lewiston. FASSV is willing to go further in improving the conditions.

Our parent and staff community is ready and has the real desire to improve the current circulation/parking situation at Serra School. Furthermore, the administration and the Board of Directors are ready to support them immediately in their efforts. FASSV as an entire entity is very willing, and we can commit to what is within the realm of our direct responsibility and our ability to enforce. In other words, FASSV pledges that our school would study, define, plan, and implement changes to improve the circulation/parking situation located at Serra School, but we can only make that pledge on the behalf of our school.

The FASSV community appeals to the City of Sunnyvale's Planning Commission to reconsider its decision in this matter and to approve our Use Permit application without the conditions of a Master Parking and Circulation Management Plan, which should be addressed as a separate issue.

Sincerely Yours,



Bernard Moreau
Headmaster
French-American School of Silicon Valley
1522 Lewiston Drive
Sunnyvale, CA. 94087
408-746-0460